



08-06-02

1653

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant(s): Nancy W.Y. Ho et al. Group Art Unit: 1653  
 Serial No.: 09/180,340 Examiner: H. Robinson  
 Filed: 20 August 1999 Docket No.: 290.0033 0101  
 Title: STABLE RECOMBINANT YEASTS FOR FERMENTING XYLOSE TO ETHANOL

AUG 08 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
 Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

**Small entity status is entitled to be asserted in the above-identified application.**

- An itemized return postcard.  
 A Petition for Extension of Time for \_\_\_ month(s) and a check in the amount of \$\_\_\_ for the required fee.  
 An Information Disclosure Statement (\_\_\_ pgs), copies of \_\_\_ applications; 1449 forms (\_\_\_ pgs); and copies of \_\_\_ documents cited on the 1449 forms.  
 A check in the amount of \$\_\_\_, representing \_\_\_\_\_.  
 A certified copy of a \_\_\_ application, Serial No. \_\_\_, filed \_\_\_\_\_, the right of priority of which is claimed under 35 U.S.C. §119.  
 Other: Election Under 37 C.F.R. §3.71, Revocation, Power of Attorney, and Certificate Under §3.73(b) (2 pgs.) and copy of Assignment (1 pg.).

Amendment \_\_\_\_\_ No Additional fee is required. \_\_\_\_\_ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$42 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$140 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813



26813

PATENT TRADEMARK OFFICE

By: David L. Provence

Name: David L. Provence

Reg. No.: 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV153782063US

Date of Deposit: 5 August 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Katie Mueting  
 Name: KATIE MUETING

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)



*H. J. 14  
Ho Hoeng*  
PATENT  
Docket No. 290.0033 0101

**RECEIVED**  
*8/8/02*  
AUG 08 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nancy W.Y. Ho et al.  
Serial No.: 09/180,340  
Filed: 20 August 1999

Group Art Unit: 1653

Examiner:

*H. Robinson*

*TECH CENTER 1600/2900*

For: STABLE RECOMBINANT YEASTS FOR FERMENTING XYLOSE TO ETHANOL

**ELECTION UNDER 37 C.F.R. §3.71, REVOCATION,  
POWER OF ATTORNEY, AND CERTIFICATE UNDER §3.73(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The Assignee **PURDUE RESEARCH FOUNDATION** of the entire interest in the above-identified application as evidence by the attached Assignment hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Adams, Matthew W.	Reg. No. 43,459
Albin, Loren D.	Reg. No. 37,763
Franklin, Kathleen L.	Reg. No. 47,574
Gebhardt, Mark J.	Reg. No. 35,518
Huebsch, Joseph C.	Reg. No. 42,673
Johnson, Nancy A.	Reg. No. 47,266
Mueting, Ann M.	Reg. No. 33,977
Provence, David L.	Reg. No. 43,022
Raasch, Kevin W.	Reg. No. 35,651
Sandberg, Victoria A.	Reg. No. 41,287

as its attorney or agent (with full powers of appointment, substitution and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.



Please send correspondence to the following address:

Attention: David L. Provence  
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
**Customer Number 26,813**



**26813**

PATENT TRADEMARK OFFICE

**RECEIVED**

AUG 08 2002

TECH CENTER 1600/2900

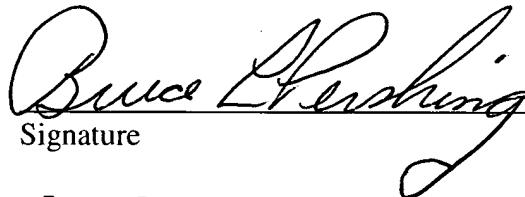
**Statement under 37 C.F.R. §3.73(b)**

PURDUE RESEARCH FOUNDATION states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of assignment(s) from the inventor(s) of the above-identified patent application to PURDUE RESEARCH FOUNDATION. A copy of the assignment(s) is/are attached. The assignment(s) has been or is concurrently being recorded with the U.S. Patent and Trademark Office.

The undersigned (whose title is supplied below) is empowered to sign this document on behalf of the Assignee.

ASSIGNEE:

PURDUE RESEARCH FOUNDATION

  
Signature

Bruce L. Pershing  
Typed or Printed Name

Investment Officer and Corporate Secretary  
Title

June 19, 2002  
Date

## ASSIGNMENT

WHEREAS, Nancy W.Y. Ho of 606 Riley Lane, West Lafayette, Indiana 47906 and Zheng-Dao Chen of 480 Maple Street, West Lafayette, Indiana 47906, hereinafter referred to as Assignors, have made a new and useful invention in STABLE RECOMBINANT YEASTS FOR FERMENTING XYLOSE TO ETHANOL for which Assignors have made or will make application for Letters Patent of the United States; and

WHEREAS, Purdue Research Foundation, hereinafter referred to as Assignee, a corporation of the State of Indiana having a principal place of business at Office of Technology Transfer, 1063 Hovde Hall, West Lafayette, Indiana 47907 desires to acquire all of the entire right, title, and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title, and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignors this 31st day of March, 1999, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNatt of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, Indiana 46204-5137 to insert here in parentheses (Serial No. \_\_\_\_\_, Filed \_\_\_\_\_) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Assistant Secretary and Commissioner of Patents and Trademarks to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said invention in this and all foreign countries for the use of Assignee.

WITNESS Assignors' hands this 31st day of March, 1999.

Zheng-dao Chen  
Zheng-Dao Chen

Nancy W.Y. Ho  
Nancy W.Y. Ho

STATE OF Indiana )  
COUNTY OF Tippecanoe ) SS:

Before me, a Notary Public, in and for said County and State, personally appeared the above-named Assignors, to me personally known, and who executed the foregoing Assignment in my presence and acknowledged the execution thereof as their free and voluntary act and deed for the uses and purposes therein set forth and expressed.

Deanna R. Pass  
Notary Public

My Commission Expires:

Printed: Deanna R. Pass

August 9, 2001

Resident of White County

BEST AVAILABLE COPY